

REMARKS

Claims 1, 3 and 5-9 are pending in this application.

By this Amendment, claim 1 is amended to incorporate the subject matter recited in claims 2 and 4 and additional features disclosed in the specification at, for example, Figs. 3 and 4, and paragraphs 0018 and 0033. Accordingly, claims 2 and 4 are canceled. Claim 6 is amended in view of the amendments to claim 1. Claims 10-28 are also canceled because of the finality of the Restriction Requirement. Claims 29-30 are added.

The Office Action rejects claims 1, 2 and 5-9 under 35 U.S.C. §102(b) over U.S. Patent 5,489,930 to Anderson; and rejects claims 3 and 4 under 35 U.S.C. §103(a) over Anderson in view of U.S. Patent 5,940,957 to Goto et al. The §102(b) rejection is moot, because claim 1 now includes the feature of former claim 4. The §103 rejection is respectfully traversed.

The Office Action acknowledges that Anderson does not disclose or suggest a plurality of plates including a metal plate and a resin plate, and a filter that is formed in a resin plate, but asserts that Goto discloses this feature at col. 7, line 45 – col. 8, line 45. However, the cited portion of Goto does not disclose or suggest such a feature.

In particular, Goto discloses an ink-jet recording head that is formed with a first base board 2 including silicon (col. 8, lines 18-20) and a second base board 5 including resin (col. 7, lines 1-22). Goto does not disclose or suggest a metal plate. Therefore, Goto does not disclose or suggest a plurality of plates including a metal plate and a resin plate, and a filter that is formed in a resin plate, as originally recited in claim 4 and currently recited in claim 1.

The Office Action asserts that Goto discloses a metal plate at col. 7, line 45 – col. 8, line 45. However, the portion of Goto at col. 7, line 45 – col. 8, line 45 does not disclose or suggest a metal plate in the context of a plurality of plates laminated to form a branching passage unit. It appears that the Office Action may be implying that Goto's nickel coating

layer 11 In Fig. 2 is a "metal plate," but it is clear from Goto's disclosure that the layer 11 is on a mask 10 that is not part of a branching passage unit. The mask 10 is part of an ink jet recording head manufacturing apparatus, not an ink jet head itself.

For at least the above reasons, Goto does not supply the subject matter lacking in Anderson. Thus, Anderson and Goto, even if combined, do not disclose or suggest the subject matter recited in claim 1.

Furthermore, Anderson and Goto do not disclose or suggest a passage unit and a branching passage unit that are separate members, as recited in claim 1.

In particular, as shown in Fig. 2 of Anderson, the plates 20, 22, 24, 26, 28, 30, 32 and 34 that form elements 44, 72, 54 and 81 are duplicates of plates 20, 22, 24, 26 and 28 that form elements 58, 12 and 62. The Office Action asserts that elements 44, 72, 54 and 81 correspond to "passage unit," and elements 58, 12 and 62 correspond to "branching passage unit." Based on the Office Action's assertions, the passage unit and the branching passage unit, as disclosed in Anderson, are made of the same plates. Therefore, Anderson does not disclose or suggest a passage unit and a branching passage unit that are separate members, as recited in claim 1.

In addition, Goto does not disclose or suggest a passage unit and a branching passage unit that are separate members. Therefore, Goto does not supply the subject matter lacking in Anderson.

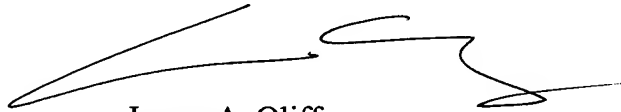
For any or all of the above reasons, Anderson and Goto, either individually or in combination, do not disclose or suggest the subject matter recited in claim 1, and claims 3 and 5-9 depending therefrom. Accordingly, withdrawal of the rejections of claims 1, 3 and 5-9 under 35 U.S.C. §102(b) or §103(a) is respectfully requested.

New claims 29 and 30 are allowable at least for their dependence on an allowable base claim, and for additional features they recite.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 3, 5-9 and 29-30 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:
Petition for Extension of Time

Date: October 13, 2005

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